

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

BROADCAST MUSIC, INC., et al.,

Plaintiffs,

03:06-CV-374-ECR-RAM

vs.

MINUTES OF COURT

CATHI WOODS, et al.,

Date: February 4, 2008

Defendants.

_____/

PRESENT: Edward C. Reed, Jr., Senior U.S. District Judge

Courtroom Deputy: Colleen Larsen; Court Reporter: Kathy French

Counsel for Plaintiff: Michael D. Knox; Leslie B. Hart

Counsel for Defendant: Michael Morrison

MINUTES OF HEARING MOTION FOR SUMMARY JUDGMENT (#20):

At 10:35 A. M . Court convenes.

Arguments are presented by plaintiffs' counsel Knox, and counsel for defendant.

At 12:00 Noon Court recesses; at 1:30 P. M. Court convenes.

Further arguments are presented by plaintiff's counsel Knox, and counsel for defendant.

Matter stands submitted; the Court will enter its ruling this afternoon at 4:30 P. M.

At 2:25 P. M. Court recesses.

At 4:30 P. M. Court reconvenes.

The Court makes its findings for the record.

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IT IS HEREBY ORDERED that plaintiff shall have fifteen (15) days to file a supplemental memorandum to address the issue as to whether plaintiff ACUFF Rose Music has been properly named in the complaint, without reference to whether it was a corporation; defendant will thereafter have fifteen (15) days to file a response; and, plaintiff will have ten (10) days thereafter to file a reply.

IT IS FURTHER ORDERED that ps motion for summary judgment (#20), is GRANTED, except that:

- 1) Summary judgment is DENIED, as to the claims of BMI;
- 2) Summary Judgment is DENIED, as to the claim for statutory damages; Plaintiff shall have fifteen (15) days to submit form of permanent injunction; defendant will have fifteen (15) days to file any objection to the proposed form of injunction, and plaintiff will have ten (10) days to file a reply;
- 3) Plaintiff shall have fifteen (15) days after trial proceedings are completed, or upon further order of the Court, within which to supplement their motion for summary judgment for attorney fees rendered after April 27, 2007; defendant will have fifteen (15) days to file an opposition to the supplement; and, plaintiff will have fifteen (15) days within which to file a reply;
- 4) A Bill of costs incurred shall be submitted to Clerk for taxation within fifteen (15) days after trial is completed, or upon further order of the Court.

IT IS FURTHER ORDERED that a Jury Trial on the issue of statutory damages is set for **Tuesday, June 3, 2008, at 10:00 A. M.** Calendar call will be held on Monday, June 2, 2008, at 9:00 A. M.

IT IS FURTHER ORDERED that the parties shall have until April 16, 2008, within which to file a proposed, joint, Pretrial Order for the trial, as to the issue of statutory damages only.

IT IS FURTHER ORDERED that this action referred to the Magistrate Judge for purposes of holding a settlement conference.

At 5:35 P. M. Court adjourns.

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LANCE S. WILSON, CLERK

By _____ /s/ _____
Deputy